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EXAMINER	
GRAHAM, PAUL J	
ART UNIT	**PAPER NUMBER**
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/665,096	SIMYON, JEFFREY A.	
	Examiner	Art Unit	
	Paul J. Graham	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-66* is/are pending in the application.

4a) Of the above claim(s) *54-66* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-53* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *1/28/2004* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *4/30/04, 8/24/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The references listed on the Information Disclosure statements filed 4/30/2004 and 8/24/2006 have been considered by examiner (see attached PTO-1449).

Claim Objections

2. Claim 7 objected to because of the following informalities:

3. Claim 7 recites "**bitstream stream**", only "**bitstream**" is needed. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1, 2, 10, 11, 16, 29, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willis et al. (US 6584082) in view of Boyden et al. (US 6724737 B1).

As to claim 1, Willis discloses a control system for media content data broadcast comprising (see Willis, col. 4, ll. 14-29 and fig. 1):

a control processor operatively associated with a web server (see Willis col. 9, l. 33-col. 10, l.11, the broadcast Operation center acts as a control processor, by scheduling transmission, querying for files and receiving and storing and further transmitting files; fig. 4, within output gateways), said control processor and said web server each having communication links to a computer network (see Willis fig. 4, link to internet, which is a computer network);

at least one uplink (see Willis fig. 4, uplink gateway), said uplink being remote from said control processor and said uplink being operatively connected to said computer network(see Willis, fig. 2A , control processor within BOC is remote from uplink facility fig. 4, connection between gateways and internet);

Willis teaches sending transmission control data via a computer network (see Willis, col. 10, 30-45); however, Willis does not teach a control instruction command.

Boyden, who discloses a system for controlling satellite communication, does teach a control instruction command being sent to an uplink (see Boyden, fig. 10, in a rain fade the NCC will request through uplink that heavy code be enabled).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Willis with the system of Boyden in order to control the satellite linking process specifically (see Boyden, col. 7, ll. 38-46).

said control processor being configured to receive control instruction requests through said communication link with said computer network (see Boyden, col. 8, ll. 40-50, the NCC receives a request (via an ATM protocol stack program which indicates a computer network) and fig. 10);

said control instruction requests being entered through a remote communication link with said computer network; (see Boyden, fig. 10, a remote terminal senses the problem and submits a request the terminal is remotely linked to the NCC (see col. 6, ll. 44-59)).

As to claim 2, Willis and Boyden (as combined in claim 1) disclose a control system of claim 1 wherein said computer network is the Internet (see Willis, col. 8, ll. 63-67).

As to claim 10, Willis discloses a method of controlling a media content broadcast comprising (see Willis, col. 4, ll. 14-29 and fig. 1):

said uplink being remote from said central processor (see Willis, fig. 2A , control processor within BOC is remote from uplink facility fig. 4, connection between gateways and internet);

and sending said control instruction command to the uplink through said computer network (see Willis, col. 10, 30-45),

said uplink also being linked to said computer network (see Willis, fig. 1, internet linked to uplink and downlink sides),

Willis does not expressly teach a control instruction request.

Boyden, who discloses a system for controlling satellite communication, does teach receiving a control instruction request at a central processor (the NCC) from a remote input (see Boyden, fig. 10, in a rain fade the NCC will request through uplink that heavy code be enabled).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Willis with the system of Boyden in order to control the satellite linking process specifically (see Boyden, col. 7, ll. 38-46).

said control processor being configured to receive control instruction requests through said communication link with said computer network (see Boyden, col. 8, ll. 40-50, the NCC receives a request (via an ATM protocol stack program which indicates a computer network) and fig. 10);

through a computer network linked to both said central processor and said remote input (see Boyden, col. 8, ll. 40-50, the NCC receives a request (via an ATM protocol stack program which indicates a computer network, which must be linked to processor (NCC) and remote input (terminal)));

generating a control instruction command (see Boyden, fig. 3 and col. 8, ll. 30-52),

said control instruction command being configured to be executable by an uplink for transmission of the control instructions to a plurality of remote receivers via satellite (see Boyden, col. 8, ll. 45-60, SASE in uplink stream allows acknowledgement of command execution),

As to claim 11, it is similar to claim 2 and is analyzed similarly to claim 2 (see above).

As to claim 16, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 wherein said control processor links to said computer network via a protocol selected from the group consisting of: SMTP, HTTP, FTP, and TFTP (see Willis, col. 11, Web transport Internet protocols are used for the data files between the controller and network, it is inherent in this group that one of SMTP, HTTP, FTP, and TFTP is such a protocol).

As to claim 29, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 wherein said uplink further comprises a control stream inserter (see Boyden, fig. 3, processor controller is a control stream inserter in that it processes remote requests into the control stream of satellite communication link, col. 8, ll. 31-53).

As to claim 40, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 further comprising default control instructions stored in a memory exit, said memory being operatively accessible by said control processor (see Boyden, col. 12, ll. 10-16, a program (that has to access memory) in NCC pre-configures (a default) the demodulators, they may be dynamically configured separately (non-default)).

6. Claims 3-6, 12-14, 17-23, 32-39, 41-44, 49, 50, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willis et al. (US 6584082) in view of Boyden et al. (US 6724737 B1) in further view of Compel User Manual (May 2001).

As to claim 3, Willis and Boyden (as combined in claim 1) disclose the control system of claim 1.

However, neither Willis nor Boyden teach transmission in batch mode.

The Compel manual, which discloses a control system for a satellite communication network does teach this (see Compel User Manual, sect. App. C, "Create Email batch Command File", as noted in c-6) a command may be sent via email and in a batch file);

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Willis and Boyden with the Compel manual in order to articulate the user interface with the communication network (see Compel User Manual, App. C "Create Email...")

As to claim 4, Willis and Boyden (as combined in claim 1) disclose the control system of claim 1 wherein said control instruction command is sent in session mode (see Compel User Manual, sect. 6.2.4, "commands", a command sent will be done so in session mode unless it is gathered in a batch file).

As to claim 5, Willis and Boyden (as combined in claim 1) disclose the control system of claim 1 wherein said control instruction requests are sent in session mode (see Willis, col. 10, ll. 38-47, data to the uplink (control requests included) are transmitted in sessions).

As to claim 6, Willis and Boyden (as combined in claim 1) disclose the control system of claim 1 wherein control instructions include at least one control instruction selected from the group consisting of: advance scheduling and periodic scheduling (see Compel User Manual, sect. App. A, "Schedule File", the controller lets one advance schedule events up to 10 years without error).

As to claim 12, Willis and Boyden (as combined in claim 1) disclose the method of claim 10 wherein said sending step is in batch mode (see Compel User Manual, sect. App. C, "Create Email batch Command File", as noted in c-6) a command may be sent via email and in a batch file).

As to claim 13, Willis and Boyden (as combined in claim 1) disclose the method of claim 10 wherein said sending step is in session mode (see Compel User Manual, sect. 6.2.4, "commands", a command sent will be done so in session mode unless it is gathered in a batch file (as in claim 12)).

As to claim 14, Willis and Boyden (as combined in claim 1) disclose the method of claim 10 wherein said control instruction command includes scheduling (see Compel User Manual, sect. 1.1 "Compel Control Features").

As to claim 17, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 further comprising a graphical user interface with said control processor (see Compel User Manual, sect. 1.3 "Compel Control User Interface).

As to claim 18, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 wherein said control processor operates on Unix (The Compel User Manual does teach the control processor operating on Unix (see Compel User Manual, sect. 2, "Accessing compel control")).

As to claim 19, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 wherein said link between said control processor and said computer network is an Ethernet/LAN link (see Compel User manual, sect. 1.4.4., "Optional hardware", the control system with an Ethernet hub has an Ethernet link between its processor and the network).

As to claim 20, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 wherein said control processor is associated with said web server via a socket server (see Willis, col. 11, ll. 20-35 and fig. 6, a web server (application services) is sent data via WINSOCK, a socket server; control is transmitted through the downlink).

As to claim 21, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 further comprising a status memory in operative communication with said control processor (See

Compel User manual, sect. D.4 "Compel Monitor", there are status panels listed on screen, which have memory allocated to them within the monitor utility).

As to claim 22, Willis and Boyden (as combined in claim 1) disclose the system of claim 21 wherein said status memory records a receiver status and user status (See Compel User manual, sect. D.4 "Compel Monitor", the receiver (an uplink) status is available and a user (a scheduler) is available).

As to claim 23, Willis and Boyden (as combined in claim 1) disclose the system of claim 21 further comprising an update driver, said update driver being configured to update said status memory to record a current status (See Compel User manual, sect. D.4.8 "Update Status/Control panel" the update driver (dbupdate) gives the current status of the update process for display).

As to claim 32, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 wherein said uplink further comprises an encoder and a multiplexer (see Willis, fig. 5).

As to claim 33, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 wherein said uplink further comprises an audiovisual input device (see Willis, col. 2, ll. 55-65, A/V is input via the uplink).

As to claim 34, Willis and Boyden (as combined in claim 1) disclose the system of claim 33 wherein said audiovisual input device is a live feed (see Willis, col. 8, ll. 55-62, real-time data is a live feed).

As to claim 35, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 further comprising a schedule memory (see Willis, col. 10, ll. 1-10, data files scheduled or revised by schedule gateway represents a memory for said scheduling).

As to claim 36, Willis and Boyden (as combined in claim 1) disclose the system of claim 35 wherein said schedule memory is located at said uplink (see Willis, col. 10, ll. 1-10, the gateway is part of the uplink).

As to claim 37,Willis and Boyden (as combined in claim 1) disclose the system of claim 35 wherein said schedule memory is located at said control processor and in operative communication with said control processor (see Compel User Manual, sect, App. A, "Schedule File", file created with control processor is a memory of schedule).

As to claim 38, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 wherein said uplink is a conventional uplink, said conventional uplink further comprising a separate control processor (see Boyden, fig. 1, where NCC is a control processor and any of the remote terminals represent an uplink).

As to claim 39, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 wherein said control instruction request includes a receiver address, a device address, a control parameter and a parameter data (see Compel User Manual, sect. App. A, "Schedule File", the standard Compel control system command protocol is: Address Device Command [Data], where Command is the control parm and data is the data parm).

As to claim 41, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 further comprising an activity log (see Compel User manual, sect. D.4.4. "Days to Keep Uplink Logs", the uplink activity is logged).

As to claim 42, Willis and Boyden (as combined in claim 1) disclose the system of claim 41 wherein said activity log is searchable (see Compel User Manual, sect. D.4.4.," Days to Keep Uplink Logs" the log files, are searchable by name in a log file directory, and the file can be searched if done so in a text editor via the sniffer utility).

As to claim 43, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 wherein said control instruction request is encrypted (see Compel User Manual, sect. 6.2.6., "Encryption", the request is encrypted to a sender, if the requestor has been authorized).

As to claim 44, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 wherein said control instruction command is encrypted (see Compel User Manual, sect. 6.2.6., "Encryption", the command is encrypted to a receiver and App. C, where an email (command) is encrypted).

As to claim 49, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 wherein said control instruction request includes an instruction to schedule transmission of control instructions at a later selectable time (see Compel User Manual, D.3.3 "Directives", a scheduler directive coupled with a priority could schedule a later event occurrence).

As to claim 50, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 wherein said control instruction command includes a control instruction packet (see Compel User Manual, sect. D.4 "Compel Monitor", within the uplink the command packet is built).

As to claim 52, it is analyzed similar to claim 50.

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kou (US 5434847) in view of Boyden et al. (US 6724737 B1) in further view of Compel User Manual (May 2001).

As to claim 7, Kou discloses a broadcast satellite uplink for transmitting media content data to a satellite for broadcast to a plurality of receivers comprising (see Kou, fig. 1, broadcast to remote stations; represent plurality of receivers):

an encoder for encoding a digital video broadcast bitstream stream in a transmittal format (see Kou, fig. 1, or fig. 3, for encoder at uplink and col. 3, ll. 30-36 for digital bitstream); a multiplexer (see Kou, fig. 3, mux); a transmitter (see Kou, fig. 3);

Kou does not expressly teach a control inserter; however, Boyden, who discloses a system for controlling satellite communication, does teach a control inserter being configured to receive control instruction commands (see Boyden, fig. 3, the controller processor and col. 5, ll. 38-44 for digital (or packet) transmission and col. 1. ll.13-18 for video transmission);

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Kou with the system of Boyden in order to directly control command insertion at the uplink site (see Boyden, fig. 3).

However, neither Kou nor Boyden, explicitly teach email as a method of transmitting commands.

The Compel User Manual does teach email transmission for commands (see Compel User Manual sect. App. A).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Kou and Boyden with the Compel User Manual in order to transmit commands via email, a user-friendly and ubiquitous method of transport (see Compel User Manual, sect. 8, "Email"),

and said control inserter being further configured to encode into a digital video broadcast bitstream control instructions taken from said control instruction command email (see Boyden, fig. 3, adaptive code used by controller processor; see Compel User Manual, sect. 8 "E-Mail", a control command could be sent via email, which allows transfer of files or messages);

and an email communication link between said control inserter and a computer network (see Compel User manual, sect. 8 "email"; a comm. link is the network a. and the network is the link used between the remote terminals and NCC of Boyden, see fig. 10).

8. Claims 45-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willis et al. (US 6584082)in view of Boyden et al. (US 6724737 B1) in further view of Kou (US 5434847).

As to claim 45, Willis and Boyden (as combined in claim 1) disclose the system of claim 1

However, neither Willis nor Boyden teaches a receipt confirmation message that denotes errors.

Kou does teach this (see Kou, col. 1. 55-col. 2, l. 10, the sent instruction is awaiting an ack (confirmation) or instructions to confirm);

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Willis and Boyden with Kou so that the sender may know if message sent was properly received (see Kou, col. 1, ll. 55-67).

As to claim 46, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 wherein said control instruction command includes no-error confirmation instructions (see Kou, col. 1. 55-col. 2, l. 10 and col. 3, ll. 10-20, no-error confirm is an ack).

As to claim 47, Willis and Boyden (as combined in claim 1) disclose the system of claim 46 wherein said control processor is configured to resend a control instruction command if a no-error confirmation (ack) is not received (see Kou, col. 1. 55-col. 2, l. 10).

As to claim 48, Willis and Boyden (as combined in claim 1) disclose the system of claim 1 wherein said control processor is configured to update a status memory if a no-error confirmation message is received from said uplink (see Kou, col. 2, ll. 2-20, packet w/ count value, is retransmitted with count reset to 0 on backward channel, "updating the status")

9. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyden et al. (US 6724737 B1) in view of Willis et al. (US 6584082) in further view of Compel User Manual (May 2001).

As to claim 8, Boyden discloses a control processor for satellite broadcast of media content data comprising (see Boyden, fig. 3 controller processor of NCC);

a control processor being configured to build control instruction commands (see Boyden, col. 8, ll. 30-56, in the NCC status is monitored and requests are awaited and responded to (such as change in transmission power),

said control instruction commands being executable by an uplink for transmission of a digital video broadcast bitstream including control instructions contained within said control instruction command (see Boyden, fig. 10, NCC prepares environment, acks uplink/ remote terminal where instruction to accept code change to obviate fade is acted on);

Boyden does not expressly teach a web server; however, Willis, who discloses a method of transmitting over satellite, does teach a web server in operative communication with controller (see Willis, fig. 4, output gateways control transmission of media into the network, while uplink gateways submit media for distribution);

after said requests are received by said web server in an HTTP transmission from a remote web browser (see Willis, fig. 7 shows that web transport occurs which entails HTTP transmission and col. 9, ll. 40-52);

However, neither Boyden nor Willis, explicitly teach email as a method of transmitting commands.

The Compel User Manual does teach email transmission for commands (see Compel User Manual sect. App. A).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Kou and Boyden with the Compel User Manual in order to transmit commands via email, a user-friendly and ubiquitous method of transport (see Compel User Manual, sect. 8, "Email"),

said control processor being further configured to package control instructions from said control instruction requests in an email to at least one remote uplink (see Compel User Manual, sect. App. C, encryption of emailed instruction command/ request is packaging);

and a communication link to a computer network, said communication link allowing said control instruction command to be emailed to remote uplinks (see Compel User manual, sect. 8 "email"; a comm. link is the network a. and the network is the link used between the remote terminals and NCC of Boyden, see fig. 10).

As to claim 9, Boyden discloses the control processor of the previous claim wherein said communication link further allows confirmation message from said at least one remote uplink back to said control processor via email (see Boyden, fig. 10, ack between remote terminal (uplink) and NCC is typical).

Official notice is taken that email acknowledgements are well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the acknowledgement process of Boyden with the email process of Willis in order to generate an internet-ready environment for control of satellite communication.

10. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Compel User Manual (May 2001) view of Hostetter et al. (US 5313457)

As to claim 15, the Compel User manual discloses a machine readable data structure for remote control of media content broadcasts comprising (see Compel user manual, sect. 6.2, Gui allows for interface with commands to remotely control media):

a control instruction set, said control instruction set being configured to be executable by a receiver upon its receipt via broadcast, said control instruction set being further configured to be

embedded in a control instruction command, said control instruction command being adapted to be sendable through a computer network from a control processor linked to the computer network to a satellite uplink also linked to the computer network (see Compel User Manual, section 6.2, "Main menu tool bar", a instruction set, embedded in commands sent out from processor to receivers is what these commands are);

the Compel User manual does not explicitly teach a correlator; however, Hostetter, who discloses a system for satellite communication, does teach a correlation indicator (see Hostetter, fig. 6), identifying a unique user and correlating at least one of a plurality of receivers with the unique user (see Hostetter, col. 14, ll. 40-55, distribution units match user and receiver);

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the Compel User manual with the teaching of Hostetter, so that an explicit mapping of user to receiver could be developed (see Hostetter, col. 14, ll. 43-55);

and said control instruction command being configured with a network transfer protocol to send said control instruction set and said correlation indicator over the computer network at a user signal to the control processor for sending to the control instruction command (see Hostetter, fig. 5, is the code or instruction being sent over the network(see fig. 1, and fig. 4 is part of computer network) and col. 13, ll. 15-37).

11. Claims 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willis et al. (US 6584082) in view of Boyden et al. (US 6724737 B1) in further view of Schweitzer et al. (US 2002/0013843 A1).

As to claim 24, Willis and Boyden (as combined in claim 1) disclose the system of claim 1; however,

Willis and Boyden do not expressly teach a batch aggregator.

Schwietzer, who discloses a system for network filtering and aggregation, does teach this (see Schweitzer, [001-0012], the gather devices (batch aggregators) work with (are operatively coupled) the other systems like rating engines (control processor) that output reports).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Willis with the system of Boyden in order to allow for useful aggregation of various data within a control system (see Schweitzer, [0009]).

As to claim 25, Willis and Boyden (as combined in claim 1) disclose the system of claim 24 wherein said batch aggregator and said control processor are separate components (see Schweitzer, [001-0012], the gather devices (batch aggregators) are separate from the other systems like rating engines (control processor) that output reports).

As to claim 26, Willis and Boyden (as combined in claim 1) disclose the system of claim 24 wherein said batch aggregator is configured to complete a batch for transmission upon obtainment of a preconfigured batch volume (see Schweitzer, [0066] when a certain amount of data is reached, which as a limit is inherently pre-configured the batched data (from pipe ISMs) an event will occur (such as disablement or transmission in the instant app).

As to claim 27, Willis and Boyden (as combined in claim 1) disclose the system of claim 24 wherein said batch aggregator is configured to complete a batch for transmission upon reaching a preconfigured time out (see Schweitzer, [0066] when a time out or time limit, which is inherently pre-configured, is reached on the batched data (from pipe ISMs) an event will occur (such as disablement or transmission in the instant app).

12. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Willis et al. (US 6584082) in view of Boyden et al. (US 6724737 B1) in further view of Getsin et al. (US 2004/0244041 A1)

As to claim 28,Willis and Boyden (as combined in claim 1) disclose the system of claim 1 wherein said control processor and said web server communicate

Willis and Boyden do not teach communication with a server via a language selected from the group consisting of: Perl, TCL, C, C++, or Visual Basic; however,

Getsin, who discloses a system for network synchronization, does teach communication with a server via a language selected from the group consisting of: Perl, TCL, C, C++, or Visual Basic (see [0087] Java (C++) is used to communicate web docs with a server).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Willis and Boyden with the system of Getsin in order to create an environment to communicate with a web server using a specific scripting language (see Getsin, [0087]).

13. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Willis et al. (US 6584082) in view of Boyden et al. (US 6724737 B1) in further view of Nelson (US 2001/0023360A1).

As to claim 30, Willis and Boyden (as combined in claim 1) disclose the system of claim 1

Neither Willis nor Boyden teach a firewall at an uplink; however, Nelson, who discloses a remote communication system, does teach this (see Nelson, fig. 2),

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Willis and Boyden with the system of Nelson to enable the firewall protection at an uplink necessary in a network and still allow data flow (see Nelson [0047] and fig. 2).

14. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Willis et al. (US 6584082) in view of Boyden et al. (US 6724737 B1) in further view of Ellis (US 2003/0009401 A1)).

As to claim 31, Willis and Boyden (as combined in claim 1) disclose the control system of claim 1

Neither Willis nor Boyden teach a firewall for a webserver; however, Ellis, who discloses a cost estimation method and system, does teach this (see Ellis, [0320]),

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Willis and Boyden with the system of Ellis to enable the firewall protection at a web server necessary in a network and still allow data flow (see Ellis, [0311] and fig. 4).

15. Claims 51 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willis et al. (US 6584082) in view of Boyden et al. (US 6724737 B1) in view of Compel User Manual (May 2001) in further view of Schweitzer et al. (US 2002/0013843 A1).

As to claim 51, Willis and Boyden and Compel (as combined in claim 1 and claim 3) disclose the system of claim 50

However, Willis nor Boyden nor Compel explicitly details the instruction packet.

Pelkey does (see fig. 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Willis, Boyden and Compel with Pelkey in order to denote the fields that make up an instruction packet (see Pelkey, col. 4, ll. 40-65);

wherein said control instruction packet includes a frame separator, a system identification, a length indicator, a sequence number, a remote address for an individual receiver, a class identifier, a device address, a command identifier, a command data value and a check sum (see Pelkey, fig. 3 and 6)

As to claim 53, it is similar to claim 51 and is therefore similarly analyzed (see above).

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul J. Graham whose telephone number is 571-270-1705. The examiner can normally be reached on Monday-Friday 8:00a-5:00p EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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PRIMARY PATENT EXAMINER

pjg
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